



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

January 22, 2020

BY ECF

The Honorable Paul G. Gardephe
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

**Re: *United States v. Michael Avenatti*,
S1 19 Cr. 373 (PGG)**

Dear Judge Gardephe:

The Government respectfully submits the attached letter from the Warden of the Metropolitan Correctional Center ("MCC") pursuant to the Court's order during the conference in this case held earlier today, January 22, 2020, directing the MCC to provide an explanation regarding the defendant's housing assignment. Two sentences in the version filed on ECF are redacted at the request of the MCC, because they set forth sensitive and non-public information.

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney

By:

Robert B. Sobelman
Matthew D. Podolsky
Daniel C. Richenthal
Robert B. Sobelman
Assistant United States Attorneys
(212) 637-1947/2109/2616

Attachment

cc: (by ECF)

Counsel of Record



U.S. DEPARTMENT OF JUSTICE

Federal Bureau of Prisons

Office Of the Warden

*Metropolitan Correctional Center
150 Park Row
New York NY 10007*

January 22, 2020

Honorable Paul G. Gardephe
United States District Judge
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

RE: United States v. Avenatti, No. S1 19-CR-373(PGG)

Dear Judge Gardephe:


I write in response to the Court's direction that the Metropolitan Correctional Center (MCC New York) explain why Michael Avenatti, Register No. 86743-054, cannot be moved to general population.

MCC NY has broad discretion to determine appropriate housing assignments for pre-trial inmates. My executive staff and I reviewed the circumstances regarding Mr. Avenatti's federal detention, including any and all available information about him in order to determine an appropriate place for him to be housed. Mr. Avenatti is currently housed in the Special Housing Unit in Administrative Detention status. Administrative Detention removes an inmate from the general population when necessary to ensure the safety, security and orderly operation of the institution. We have serious concerns for Mr. Avenatti's safety, should he be placed in a general population housing unit.

[REDACTED] Keeping Mr. Avenatti in the Special Housing Unit allows MCC NY staff to maintain closer supervision and better ensure his safety. While Mr. Avenatti is housed at MCC NY, our staff will continue to review his housing assignment to determine suitability for general population.

I trust this satisfies your request.

Sincerely,


M. Licon-Vitale
Warden